

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

HELEN MOODY, et al,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL ACTION NO.: 2:07cv318-WHA
)	
ALLSTATE INSURANCE)	
COMPANY, et al,)	
)	
Defendants.)	

Joint Motion to Continue

COME NOW the Plaintiffs Helen Moody and Catherine Keaton (“Plaintiffs”) and Defendant AllState Insurance Company, Inc. (“AllState”) (collectively, “the Parties”) and jointly request that this Court Continue the current trial setting and associated scheduling deadlines. As grounds for this request, the Parties state as follows:

1. This matter is set for trial during the term of Court commencing on March 24, 2008. A pre-trial conference is currently scheduled for February 20, 2008. This is the first trial setting for this matter.

2. Undersigned counsel for the Plaintiffs, Jason E. Gammons, has orders to report for extended active duty with the United States Air Force on March 4, 2008. Gammons has been the primary attorney handling this matter for the firm of Wallace, Jordan, Ratliff & Brandt, LLC.

3. Undersigned counsel for the Defendant, J. Lenn Ryals, has within the past few weeks moved his professional practice from Slaten & O’Conner, P.C. to Ryals, Plummer,

Donaldson, Agricola & Smith, P.C. Ryals anticipates that this file will be transferred to his new firm, but the file has not been transferred at this time and may not be transferred in the immediate future. AllState would be unduly prejudiced if this court does not allow sufficient time for the file on this matter to be transferred to Mr. Ryals' new firm.

4. Furthermore, the Parties believe that a continuance of this matter may very well afford the Parties an opportunity to resolve this matter without going to trial, either through private settlement negotiations or through mediation.

WHEREFORE, PREMISES CONSIDERED, the Parties jointly request that this honorable Court continue the trial setting and associated scheduling deadlines in this matter for a period of 90-120 days.

Respectfully submitted this 13th day of February, 2008.

/s/ Jason E. Gammons
Jason E. Gammons
ASB-7277-J38G
jg@wallacejordan.com
Attorney for Plaintiffs
Helen Moody & Catherine Keaton

Of Counsel:
Wallace, Jordan, Ratliff & Brandt, LLC.
P.O. Box 530910
Birmingham, Alabama 35253
Telephone: (205) 870-0555
Facsimile: (205) 871-7534

/s/ J. Lenn Ryals
J. Lenn Ryals
Ala. ID RYA008
lryals@rpdas.com
Attorney for Defendant
AllState Insurance Company, Inc.

Of Counsel:
Ryals, Plummer, Donaldson,
Agricola & Smith, P.C.
60 Commerce St, Ste 1400
Montgomery, AL 36104-3562
Telephone: (334) 834-5290
Facsimile: (334) 834-5297

CERTIFICATE OF SERVICE

I certify that I have served a copy of the foregoing Joint Motion to Continue on all parties of record by placing a copy of the same in the United States Mail, postage prepaid, and addressed as follows and/or by filing the same with the Courts CM/ECF system on this the 13th day of February, 2008.

Shawn Thornton
407 Green Ridge Road
Montgomery, AL 36109

/s/ Jason E. Gammons
Of Counsel

/s/ J. Lenn Ryals
Of Counsel